

Center for Law and Social Policy
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Operator: And now, I would like to turn the floor over to Jodie Levin-Epstein of the Center for Law and Social Policy.

JODIE LEVIN-EPSTEIN: Thank you so much, and welcome everyone to (CLASP's) national audio conference, Workplace Safety and Earned Sick Days, Intersection and Opportunities for Advocacy. We're really excited to have convened a diverse group of listeners, and an excellent panel of guests today. Our listeners come from both the Earned Sick Days and the Worker Health and Safety advocacy communities.

We hope this call will be a start, a great opportunity for all of us to think about the connections between these two movements. Last fall, researchers from the National Institute for Occupational Safety and Health, otherwise known as (NIOSH), at the Centers for Disease Control and Prevention, released an important study, showing a strong association between workers receiving earned sick and a reduced incidence of occupational injuries.

Advocates have long been making the public health case for earned sick days; however, until now, the main thrust of the public health argument for earned sick days has been about the dangers of contagious diseases spreading in the workplace between coworkers and the public. This data on the relationship between work place injuries and sick days is a new and a crucial health concern. At the same time, the worker's safety community has been working hard to advocate for improved safety standards, enforcements of existing standards and protections for workers that are not covered under existing standards.

How can earned sick days standards fit into the landscape of workplace sick day advocacy today? We have about 60 registrants on this call eager to learn more today. That is a good size for a new topic and of course, many more will be able to hear this audio conference later, once it's posted, and circulated. My guests today are Liz Borkowsky (ph), research associate at George Washington University School of Public Health and Health Services. Hey, Liz (ph).

LIZ BORKOWSKY (ph): Hi.

LEVIN-EPSTEIN: And Wendy Chun-Hoon, the (DC) director of Family Values at Work. Hey, Wendy (ph), how are things?

CHUN-HOON: Good, Jodie. Thanks.

LEVIN-EPSTEIN: And Tom O'Connor, the Executive Director of the National Council for Occupational Safety and Health, fondly known as COSH. Good afternoon, Tom.

TOM O'CONNOR (ph): Hey.

LEVIN-EPSTEIN: And Barbara Rahke, who is Philaposh Director. Barbara, I just have to say, I just love the name of your organization, Philaposh, it's just wonderful. Am I doing it correctly?

BARBARA RAHKE: You're doing it exactly right, thank you.

LEVIN-EPSTEIN: That's just great. And Barbara and Tom are going to be talking with us about COSH generally and about illustrations in Philadelphia how the Philly COSH otherwise known as Philaposh is already hard at work on the Paid Sick Days campaign in Philadelphia and I'm looking forward to getting into the details of that effort in Philadelphia, but also just wanted to relay on, Tom, many thanks again for enabling you to meet with you and Barbara and other members of your board, which also gave me a chance to talk to some folks and learn about the connections already being made between the two movements in Massachusetts and in New York City as well, where bills are pending.

And in New York City, I understand that the head of the New York City COSH is going to be speaking and testifying at the City Council's hearing this week. So lots of connections, and this is a chance for us to sort of drill down and understand a little bit more about what's happening with our two movements already, what more can happen. The timing of this call is pretty auspicious, it looks like tomorrow is when the Federal paid sick days bills is going to be introduced, the Health Families Act.

And while today we'll focus mostly on state and local paid sick days campaigns, the need for Federal action is clear. Now a housekeeping detail before we move ahead. Please send in your questions as they occur to you. It is easy to ask them, just Email audioconference@clasp.org. So that's audioconference@clasp.org. We are going to ask them throughout this call, so just don't wait until the end. Send them in now. OK. Turning to you, Liz, hey how are you. Here we go, we want to zero in on some important research findings, Liz (ph). First, could you give us just a quick summary of the government researcher's findings on the relationship between earned sick days and workplace safety?

BORKOWSKY (ph): Sure. The big finding of the (NIOSH) study is that workers with access to paid sick leave were 28 percent less likely to be injured on the job than those that did not have access to paid sick leave. And not only is that an impressive finding, but this was a large and well designed study. They used national health interview survey data on about 38,000 private sector workers, and they were – the workers were surveyed between 2005 and 2008. They were asked about whether they had access to paid sick leave through their job and if they had been injured in the past three months and if so what they were doing at the time.

And they were also asked about things like education and employer size and with all of those variables held constant, workers with access to paid sick days were 38 percent less

likely to be injured on the job than those without access to paid sick leave. And specifically what they found was that the rate of non-fatal occupational injuries for the workers who had access to paid sick leave was 2.59 per 100 full time workers, and then that's compared to 4.18 for those who did not have paid sick leave.

So if you're an employer with 100 workers, that is essentially a difference between having fewer than 3 workers injured in a year versus more than four. And they found the greatest difference in sectors with above average rates of non fatal occupational injuries. So construction, manufacturing, agriculture, health care. And in some of those industries, like manufacturing and construction, right now fewer than 30 percent of those who responded in those industries had paid sick leave. So the authors identified this and an opportunity for really expanding paid sick leave and potentially lowering those high rates of occupational injuries.

LEVIN-EPSTEIN: So Liz (ph), I think you've said one of the big take aways from this audio conference is the number 28, the 28 percent. So you know, we (could) all leave with that embedded in our brains, is that this is the 28 percent factor, which is really impressive in and of itself, but I want to ask you. Thank you for that summary, but is there anything else that is kind of eye-popping for you out of that study?

BORKOWSKY (ph): Well, I think the really important thing about it is that this is the first study of its kind and it is a really smart way to investigate the benefits of paid sick days. So a lot of time when we think about what are the benefits of paid sick days, we think about things like when people get the flu, are they coming into work and spreading that virus around? And that can be kind of hard to study. Because you don't know if somebody got the flu at work versus did they pick it up from somebody they live with.

But injuries are concrete and they're quantifiable and they are something that can affect employers' profits, so it was a really smart way for these researchers to look at the impact of paid sick days.

LEVIN-EPSTEIN: Liz (ph), you're not at (NIOSH) so I'm about to ask you a potentially unfair question. (Can we have) the back story as to how come the government decided to ask this question about the question between paid sick days and injuries. You know, how did it happen? You know, a lot of us who have been working on paid sick days went, whoa, didn't know this one was going on.

BORKOWSKY (ph): Well, what they wanted to do is that they really wanted to look at this from the employer perspective and so they were thinking, OK, if an employer is considering whether to add on a paid sick leave benefit, they might want to know what effects that would have on their business. And so they were specifically investigating whether offering paid sick days could be a profit maximizing strategy as they put it, and they found that yes, it can.

LEVIN-EPSTEIN: Excellent. So Liz (ph) I have a question here from (Michelle McIntyre) and I'm going to ask you immediately what it is. She is with (NCL's) Project

on Wage (Theft), that's the National Consumers League. And she asks where she can get a copy of the (NIOSH) study and I'm guilty of not remember whether or resource list included it, I know it included your paper. Did you hyperlink in your paper to the (NIOSH) study?

BORKOWSKY (ph): I don't think we did, but it was published in the American Journal of Public Health. And so if you look up the American Journal of Public Health, that is one way to get it.

LEVIN-EPSTEIN: OK. And let me just add that if we didn't send it in the resource list which is also posted on our site for this audio conference, we will send it out to all registrants. But also this was another way of advertising that you should also take a look at (Liz's) piece as well which captures that study and some additional information. And let's talk about your policy brief that you coauthored. It highlights research on the economic impact of work place injuries and illnesses within the work force generally as well as low wage workers.

Let's look at it generally first, Liz (ph). What is your headline with regard to the cost of workplace injuries generally. Again, not just low wage workers, but generally, overall.

BORKOWSKY (ph): Sure, there was a very important study published in the (Milkbank) quarterly in 2011 and economist (J. Paul Lee) of (UC Davis) actually looked at the economic impact of occupational injuries and illnesses across the U.S. and found that in a single year, occupational injuries costs our economy more than \$250 billion. So that is a real opportunity to prevent injuries and save a lot of money.

LEVIN-EPSTEIN: Wow. And (parsing) that a bit, if you can, which industries are work place injuries most prevalent in?

BORKOWSKY (ph): The Bureau of Labor Statistics puts out a survey of occupational injuries and illnesses, and so if you look at their 2011 findings on that, the major industry sectors with high rates of non fatal injury and illnesses include educational and health services, which may sound surprising, but within health services, we have a lot of nurses and other people who are working with patients who are getting a lot of muscular/skeletal injuries, so that's a big concern in that sector.

Another big one is natural resources and mining, which includes agriculture, animal production and fishing. So there you can be looking at injuries from equipment, pesticides, being injured by animals, being struck by objects, that kind of thing. The leisure and hospitality injury is another big one, and a big thing we're seeing there is a lot of muscular/skeletal injuries in hotel housekeepers. Manufacturing is another big one. A lot of those involving equipment. And then state and local government actually is a sector that as a high non fatal injury and illness rate.

LEVIN-EPSTEIN: And why is that?

BORKOWSKY (ph): Yes, I know, it is kind of surprising. It's largely because of within that they have a lot of healthcare workers and construction workers, so if you have like a city funded hospital or you know, you might have road projects where construction workers are out repairing roads, getting hit by cars, that kind of thing. And then you have transit workers and utility workers and things like that in that sector. So those are some of the big ones as far as high rates of non fatal injuries and illnesses on the job.

LEVIN-EPSTEIN: So that's a general, overall picture of the work force. And turning to low wage workers, are – you (parsed) out the cost just for low wage workers, could you fill us in on those and also why you think it is important and why you said in your piece how important it is to zero in on this group?

BORKOWSKY (ph): We actually asked (Paul Lee) to go back and look at his calculations and figure out how much of the cost of occupational injuries and illnesses actually fall specifically on low wage workers. And we are especially concerned about this because low wage workers are least well equipped to handle the consequences of occupational injuries and so what (Paul Lee) found is that there were 1.7 million injuries and illnesses among low wage workers and that had a cost of \$39 billion in a single year, and that's both medical costs and productivity costs for things like missing out on wages.

And so, especially, you know, if you are a restaurant worker who is cut or burned at work and you have to take two days off to recover, the low wage workers are least likely to have paid sick leave and so – and also health insurance. And so you know, if you're injured on the job and you have to take two days off and you don't have paid sick leave, your paycheck suddenly becomes a lot smaller. And for workers who are living paycheck to paycheck, that can mean that they have a hard time paying their rent or their utilities or buying groceries.

And there is also the aspect of – and one of the things that was looked at here is the fact that people who are injured and especially among those with severe and long lasting injuries oftentimes they can't do household work, child care and that sort of thing. And low wage workers are least likely to be able to afford to pay somebody to help out with that kind of thing. And in addition to really having a big impact on individual families, it can affect the economy as well. Depending on which estimate you look at, low wage workers are between 1/2 and 1/3 of the US work force.

And they tend to spend most of their earnings. So when they earn less, that can have an immediate impact on the places in their communities where they usually spend money. And you might expect worker's compensation to pay for this, but unfortunately a lot of workers who are injured on the job find out that a lot of time worker's compensation does not pay. Often, employers will pressure workers not to report an injury as work related, so then they don't have access to those benefits.

And sometimes workers have heard horror stories about the worker's comp system from other people and just decide that they are better off not reporting it. And even if workers do get worker's compensation benefits, that will cover the healthcare costs which is

important, but it often will not cover wage replacement from missing work unless your out of work for several days at a time. So in some states that's three days and in another half of the states, it is seven days. If you're off work for fewer than three days or fewer than seven days, you won't get wage replacement. It is not until you have been off work for that many days that you would get wage replacement for all the days you missed work.

So it is a big impact on families who are not earning a lot to begin with.

LEVIN-EPSTEIN: So Liz (ph), you've been talking about the cost to the economy generally. What about, is there a way to figure out from an individual business lens, the cost of work place injuries?

BORKOWSKY (ph): Well, one of the things that the (NIOSH) researchers pointed out was that fewer injuries can mean lower worker's compensation costs. Now in most states, Texas being an exception, employers are required to have worker's compensation insurance. And that generally means that they are buying insurance from a provider and their premiums will often be influenced by their past claims. So if you are having a lot of workers who are filing worker's comp claims, your premiums will probably be going up.

And then some larger employers will actually self insure for worker's comp, which gives them an even more direct relationship between the claims and what the employer is having to pay. And then as I mentioned earlier, a lot of injured workers don't file worker's comp claims, but if the employer is providing health insurance, a lot of times the workers will be using their health insurance. So if they got a sprain at work, they might go to the doctor or they might not say it is work related, but they will still be handing over their health insurance card, and that can still effect premiums further down the line for the employer.

And especially if you're talking about something like a back injury, that can get very costly and that cost can persist and really have an impact on premiums. And then aside from the insurance costs, worker injuries do affect business productivity. So if you have a worker who has broken a bone on the job and they have to be out for a week, that can really disrupt the functioning in the work place and then workers who are present, but who are still recovering, can't work as quickly. So it does have an impact on productivity that employers should think about.

LEVIN-EPSTEIN: This is a reminder for the audience that we've had some questions come in, but we need yours. So please shoot them over to me at audioconference@clasp.org; and it's fair to send in the question and then discover it gets answered as we are talking, in fact, Nancy Firestein (ph) just sent in a question and response that you had already, Liz (ph), answered her question. So thank you very, very much for doing that.

Liz (ph), for those in the audience who come with the lens of earned sick days, how do you see these economic impact findings that you've been describing, being used to bridge between our two moments, the worker safety movement and the paid leave movement?

BORKOWSKY (ph): Well, for both movements, this study demonstrates that there are multiple employer policies that influence worker health and safety. And we should work toward the widespread adoption of all of these health promoting policies. We know that the healthiest workplace is ongoing to be one that follows best occupational health and safety practices as well as all of the regulations. And that offers paid sick leave, not just one or the other.

LEVIN-EPSTEIN: Thank you. You know, I had a question sparked by what you were mentioning before about how individual businesses are affected by the costs of work place injuries themselves. Do you know whether or not there is a kind of handy dandy little calculator that individual businesses can employ to better appreciate the costs to them of workplace injuries. The Center for Law and Social Policy (CLASP) and (CEPER) work together to develop a calculator that helps businesses appreciate the cost of turnover, which is a problem when you don't have paid sick days or earned sick days.

You know, you lose some of your employees. And there are turnover costs. So this calculator is designed to help an employer appreciate the costs that they often don't see. Is there something like that on work place injuries that already exists that we could maybe tweak to do the relationship between earned sick days and work place injuries?

BORKOWSKY (ph): I'm not aware of any such calculator, although that is a great idea. I would tell businesses that one thing they can do is to look at their workers comp costs over time and also, you know, we know health insurance premiums are going up for everyone all over, but that is also something to look at when you are sort of looking at overall costs to your business and what kinds of policies including paid sick leave you can implement to save costs.

LEVIN-EPSTEIN: OK, super well, thank you. Are you able to stay on Liz (ph) because we may have a question towards the end, excellent. Wendy (ph), welcome.

WENDY CHUN-HOON: Thank you.

LEVIN-EPSTEIN: Now the paid leave movement knows this Family Values at Work well, but for (our) colleagues engaged in worker safety who might not, what is your (elevator) statement about your mission and your methods.

CHUN-HOON: Sure. So Family Values at Work is a network of now 20 state coalitions, all working to win paid sick days and family and medical leave insurance, among other policies that value families at work. And so in each of these 20 states, the coalitions are incredibly broad based, they are representing a diversity of stake holders, from workers who are impacted because they can't earn paid sick days, or pay into insurance funds that

would allow them to draw, you know, partial wage replacement when they have a baby or need to address their own serious health crisis.

Business owners – you know, Liz (ph) was starting to talk about this and you were, too, Jodie who advocate for public policies like these, to labor unions, doctors and other public health professionals, advocates for women and women's health, seniors, children, LGBT community, and the list really goes on.

LEVIN-EPSTEIN: Super. So Wendy (ph), particularly for our colleagues who are from the Workplace Safety community, could you give them just sort of a snapshot of the latest developments around the country and cities and states, since as we mentioned before, there's no federal law yet, it's going to be reintroduced we hope tomorrow, the Healthy Families Act – there's just some really exciting developments. So first off, can you just (tick) off where laws already have passed?

CHUN-HOON: Yes, sure. So, you know, and I sort of (mark) this almost by Family Values at Work history as well, so you know, Family Values at Work was created by and for these exact coalitions that are having success, as really a peer in technical support (in our work) roughly 10 years ago, and so this is right around the time when California became the first state to pass paid family leave and just before San Francisco became the first – passed the country's first earned sick days law.

And so since then, and so this is a little bit outside the scope of our conversation today, New Jersey and Washington State have both passed paid family leave laws and then more germane to this conversation, Washington DC, the State of Connecticut, Seattle, Long Beach, California, have each passed and implemented earned sick days laws and then maybe just to steal a little of Bara's (ph) thunder later, just last week, both Portland, Oregon and Philadelphia passed earned sick days laws.

So it is a growing number of places that are all putting earned sick days laws into place.

LEVIN-EPSTEIN: And maybe you'll steal the thunder Barbara has about Philadelphia, but at least loop us through to where exactly it stands in Philadelphia and then maybe Barbara can maybe mention it again as well.

CHUN-HOON: Sure, sure. So this is like déjà vu for the folks in Philadelphia. They – this is actually the second time that they will have passed an earned sick days law through their city council, they won with 11 votes. The reason why the – there is still an openness at the end of that conversation is because they are – the first time around, the mayor actually vetoed the laws and this time around they are in a much stronger position with many more votes in case the mayor chooses to veto, but that is again an open question.

LEVIN-EPSTEIN: OK. So we talk about where laws have already passed, where they are sort of pending, where are campaigns heating up but not yet at the point of really getting tested by a city council or a state legislative vote?

CHUN-HOON: Yes, so the answer is all across the country actually. And I would actually qualify some of these as pretty hot. And then some of them are sort of on the earlier stages, so I just have to mention New York City's city council is holding a hearing this Friday. That has been a long time coming, that's a pretty hot campaign. But also legislatures in Vermont and Massachusetts and Oregon after this Portland win, Washington State after the Seattle win last year. Maryland among others, have all considered earned sick days in this legislative session.

You know, also to mention Orange County, Florida has been approved for their ballot initiative in August 2014, and there is work underway in several additional cities in California. I had mentioned San Francisco won earlier, and also elsewhere.

LEVIN-EPSTEIN: So clearly a lot of momentum. What is your take, Wendy (ph) on what's fueling this momentum?

CHUN-HOON: Yes. So I already mentioned in the beginning, you know, the breadth and diversity of these coalitions, but there are a few additional pretty obvious things. First, public support behind earned sick days is huge; we are talking about three out of four Americans, and this includes by the way, two out of every three Republicans, that believe that every worker ought to be able to earn just a minimum number of paid sick days every year.

And so you know, the second thing is there is a much greater awareness among those who actually can earn paid sick days, about the \$44 million workers who still can't earn paid sick days and how that impacts really all of us. And so you know, for several reasons, earned sick days as a policy has become really a no brainer. Economists are saying what families and business owners already know, that the economic recovery depends just as much on worker's keeping their jobs as it does on creating new jobs.

You know, that our economy can't sustain nearly one in four workers reporting that they've been fired or told they would lose a job for needing to take time off to deal with a personal or a family illness. And more and more, and this is something that I think Liz (ph) you were starting to mention earlier, it is business owners that are saying what they really need are customers. That is what drives their businesses. That is what drives their bottom line, and so they're actually the ones making the connection in their own communities and among their peer network, that frankly your worker is my customer.

And so if you don't provide paid sick days, they don't have money to spend in my store and that literally what we need are economy boosting jobs. And so what is happening is that all of these voices are saying one thing, and that is that allowing workers to earn paid sick days and a pretty modest and very common sense policy. And more and more political leaders, because they either care about families and public health or because they care about jobs, are in fact stepping up to this reality.

LEVIN-EPSTEIN: Just a reminder to the audience, keep those questions coming, audioconference@clasp.org and Wendy (ph), turning to public health arguments,

generally, not yet tying it to the Worker's Safety data – you know, public health arguments have been at the forefront in making the case for earned sick days in campaigns around the country. Just so that our worker's safety colleagues can know, what are some of the compelling arguments that have been used to date.

CHUN-HOON: Yes. So following the very compelling arguments about the urgency of earned sick days for families and businesses, you know, bottom lines in this economy, the single, strongest message – you're right – is about the impact of earned sick days on not only individual and family health but workplace and community health. And so, you know, this is just more of a reflection of some of this. Many of the coalitions orient their campaigns around this public health message. You know, for example, the coalition in Philly is the Coalition for Healthy Families and Workplaces and they are not unique in how they're talking about his work.

Because this is, in fact, what resonated universally. And so I just – I'm kind of on the Philly threat, right now, but Philly learned quickly, you know, talking to voters...

LEVIN-EPSTEIN: (Inaudible) up Barbara.

CHUN-HOON: Yes, I know. So we learned quickly (by) talking to voters at the door and elsewhere that parents are actually voicing their support for earned sick days because they didn't want to take their kids to a daycare center where workers you know have to go into work sick or whether other kids parents – where other kids' parents can't pick them up if their kid gets sick. Because they don't have sick days on the job, and so you know, and beyond that, which was just a very real reality, visceral reality for people and why they supported this law.

It – not just among parents, but public health is the motivating reason among senior voters for example. And so every campaign makes the point that paid sick days are particularly important for workers to interact with the public; like restaurant workers, like child care workers – you know, providers who risk getting other sick if they are forced to come to work sick. And so I would be remiss if I didn't mention one of our partners in the work, the Restaurant Opportunity Center, has done some really critical research nationally and in cities around the country which I feel like we all now cite, showing that four out of five food service workers can't earn paid sick days.

And so it is very obvious when they are forced to work sick, that is going to jeopardize public health. There are, you know, there are several others who have now documented that one in eight – I have this written down, one in eight food service workers report coming to work sick at least twice in the last year. The CDC found that 10 million cases of food borne illnesses each year are caused by sick restaurant workers. And I think the biggest one, maybe the one that everybody uses most often, is you know, this evidence that during the H1N1 flu outbreak in 2009, 7 million people caught the flu from sick coworkers.

And so all of this, really, plus the things that you were mentioning Liz (ph), the data that you cited in the beginning about the links between earned sick days and worker's safety on the job and the economic impact of workplace injuries and illnesses, really underscores the urgency that we address this.

LEVIN-EPSTEIN: Wow. OK, so Wendy (ph), time to day dream. Got it? You're going to daydream. What are some pictures in your mind about how the two movements, workplace safety and earned sick days might collaborate. What are some sort of big dream pictures you have? And then we'll be talking about current reality later.

CHUN-HOON: Yes, OK. You know, so I guess my answer would also stem from work that has happened and so this is a furthering of that work, but there is so much opportunity to gather, you know, do joint gathering of stories from workers who have been injured because they would have jeopardized their job or their family finances if they had stayed home, you know, when they were sick. So I think it is a very natural interaction of work we can do. It's – it would be a huge asset.

LEVIN-EPSTEIN: Let me just interrupt you right there and I guess I have to promo your material, because as I was looking at stories, you know, you have this publication called Sick and Fired, which in addition to being one of the world's best titles, starts off with a story just to your point of a worker who was injured and the implications of that in relation to paid sick days, so.

CHUN-HOON: Absolutely.

LEVIN-EPSTEIN: So people can turn to that to get an illustration of a great story which bridges our worlds, but keep going, I'm sorry.

CHUN-HOON: Absolutely. Thanks, Jodie for that. You know, the other things, like holding joint forums. Again, you said early on in the call that we do have a group of 60 on the phone, but that this is fairly early on and sort of the public realization and digestion of this. And so, you know, simple things like holding joint forums, partnering – this is something that some of our states do, sponsoring know your rights training, but maybe we can think about partnering to sponsor joint know your rights training, that would be great.

And very simply, broadening the message to squarely workers own safety and again, I'm just sort of underscoring what Liz (ph) said earlier. Addressing workers' own safety on the job and the impact on families and communities of that. So I think broadening the messaging around that.

LEVIN-EPSTEIN: OK. Now Liz (ph) also mentioned, Wendy (ph) and I'm wondering if you could amplify both on what she said and what you also gave us by way of some of the numbers in the food service sector, about other industries where there is a pretty bad story on worker safety and as well aligning it or lining it up against a pretty bad story on

earned sick days. In other words, do the industries that have a lot of worker safety problems also suffer from not offering earned sick days.

CHUN-HOON: Yes. So I think it's not, you know, an absolute one to one match, but pretty close. And so what I think this shows is that it especially underscores how badly we need to address the lack of paid sick days and the problems of work related injuries and illnesses and the public and private costs of this in industries like food preparation and serving related occupations, that stood out obviously, the personal care and service occupations and several other low wage industries.

So I say it's not an absolute one to one match but it is pretty close and definitely has a couple of things stand out.

LEVIN-EPSTEIN: OK. Well, I'm going to connect with Tom now and Wendy (ph) can you stay on, because we'll have questions at the end.

CHUN-HOON: Yes.

LEVIN-EPSTEIN: Excellent, thanks so much. Tom for the community of paid sick days folks who are not familiar with national COSH, could you just tell us briefly what the national COSH is, how many members you have, who they are.

O'CONNOR (ph): Sure, so we have a small national staff of a few people and a network of about 16 active local committees or coalitions on occupational safety and (how) made up of labor unions, individual workers, worker advocates, public health people, and others interested in promoting worker safety and health. We're founded with the idea the (osh) act gives workers certain rights to safety and health on the job, that those rights don't mean anything if workers don't know what those rights are and know how to use them, have the tools and information they need in order to protect their rights.

So we do a lot of worker education and training and we also advocate for strengthening the federal OSHA act, strengthening state OSHA programs and strengthening other policies and laws to protect worker safety and health.

LEVIN-EPSTEIN: So can you bullet for us the set of issues, you – some of your priority worker safety campaign topics.

O'CONNOR (ph): Sure, so we have a particular interest, though we work with all types of workers, and each local COSH group responds to the needs in their particular areas, which can be quite different. But we have some themes nationally; among them are an effort to try to reach out and strengthen protections for particularly vulnerable workers, which would include immigrant workers, particularly those with limited English ability to ensure that they get adequate training on the job and how to prevent workplace injuries and illnesses.

That OSHA, federal and state OSHA programs are doing an adequate job of reaching those workers and providing protections for those workers. We also are interested in particularly in the interest of whistle blowers and trying to strengthen protection for whistle blowers or people who report safety hazards on the job and I'm pretty sure that everybody knows that that right as it supposedly exists under the OSHA act but it is very weak in its application and in reality many workers who report safety hazards get fired and never get their jobs back.

So that is a campaign that we've had ongoing for a long time to try to strengthen whistle blower protections. We also have a campaign nationally now that we call responsible contractor campaign, to try to ensure that bidders on public works jobs around the country have decent safety programs and safety records so that public works agencies are not just giving contracts to the lowest bidders who are most likely to exploit their workers and not provide adequate safety conditions. So we're looking at state laws and municipal ordinances that would promote that concept of screening contractors for their safety records.

We also have a particular interest now in the (interest) of temporary workers, temporary and contract workers, which has just become sort of insidious in our economy now where companies are employing temporary workers, in effect as permanent workers but sort of disclaiming responsibility for them because they don't work for them. Whenever they need extra workers they go to a temp agency and bring them on and they often are not adequately trained. We just heard the other day from OSHA director David Michaels about a terrible case at the Cardy Bottom (ph) Plant in Florida, where a guy on his first day of the job, young guy, came in from a staffing agency, didn't – was working with dangerous machinery, didn't know anything about it, and he was crushed by a palletizer on his first day on the job.

And that, unfortunately is becoming more and more common as temporary workers fill in positions throughout industry, not just in office clerical positions, but in manufacturing and in all aspects of the economy. So we are very interesting in working on promoting greater protections for temporary workers.

LEVIN-EPSTEIN: And the issue there is that temporary workers don't have adequate training, is that the primary driver of the problem?

O'CONNOR (ph): That is the primary driver, the other primary driver is that neither the staffing agency nor the company that is hosting the workers really takes full responsibility for that sort of tainting and adequate orientation for workers. So it has been a big problem in terms of enforcement and health laws, because OSHA is still struggling with how to enforce the law when there is sort of this diffused responsibility.

LEVIN-EPSTEIN: And I just want to jump back, you were mentioning another campaign focus which is on the responsible contractor. Are you working as many of us in the earned sick days movement, working with the good jobs first organization, around those public – around those contract for public subsidies?

O'CONNOR (ph): No, we haven't, but there is actually a lot of cross over between sort of these campaigns that look to encourage public entities to contract with sort of high road employers in general, so you know, I would see that there is a lot of potential for cross over between our two networks on that issue in that, you know, we want public agencies to contract with the good guys that provide paid sick leaves that have good worker safety programs, et cetera.

LEVIN-EPSTEIN: Right, and Good Jobs First also does some subsidy tracking information that might be very useful. So off-line we'll make a marriage, all right? Sounds good. So a different kind of question, Tom. Do you think that finding – the finding that we heard about from Liz (ph) bridges worker safety and sick days. Specifically that 28 percent factor is well known throughout the worker safety community. I mean, should we, in the paid sick days world assume that, you know, anytime we call up a local COSH they are versed in this particular finding?

O'CONNOR (ph): No, I would not make that assumption, I don't think that that's widely known and it is great that we are really hammering that point on this call and that we should continue to do so.

LEVIN-EPSTEIN: Excellent, that's great. And can you stay on as well?

O'CONNOR (ph): Absolutely.

LEVIN-EPSTEIN: Super, thanks Tom, and I am looking forward to working with you and COSH and deliberating how our movements can connect further. We also have Barbara Rahke, you direct a local COSH, right? Barbara? Are you on?

RAHKE: Yes, I am, hi.

LEVIN-EPSTEIN: Excellent.

RAHKE: Yes...

LEVIN-EPSTEIN: You have that fabulous word, (POSH to yours) right?

RAHKE: Yes, well it is instead of the committee where the Project on Occupational Health, but a proud and long term member of National COSH, in fact we've been around since 1975, advocating for worker safety and health. And we're really a coalition of a lot of organizations, our history is labor based, just like the national COSH moment, and our board is mostly driven by activists in the labor movement, but our actual outreach and forces that we work together with in coalition is very broad based.

We work with a lot of worker centers for instance, we work with organizations that were part of the earned sick leave coalition, our board share is president of the Coalition of Labor Union Women, so we work with a lot of community based organization, workforce

development programs. What – really anything that’s happening in Philadelphia once way or another, with (ROC) which has a fully formed chapter in Boston, excuse me, in Philadelphia as well. Right, I was thinking about, you know, like other COSH groups like in Boston and New York City that do the same thing.

LEVIN-EPSTEIN: Right, right. Well, you know, tell us though Barbara, how did the first connection happen between your organization and the Philadelphia Sick Days Campaign. You know, was somebody at a party and mentioned it, did someone knock on your door from the campaign, is it something you heard about and knocked on their door? What was the nitty gritty first moment?

RAHKE: Well, it was actually from our board and I mentioned the chair of our board who was a – works for a union doing health and safety in Philadelphia is also president of Philadelphia (CLU) and involved...

LEVIN-EPSTEIN: What is (CLU)?

RAHKE: Coalition of Labor Union Women, which is an affiliate of the (AFL CIO) and is also – her name is (Kathy Black) and also engaged in many different progressive issues going on in this city. She brought the campaign information to our board to make us aware of it and to have a discussion about it and ask for our board’s endorsement to be part of the campaign. And that is actually how we first got involved in the campaign. We also were actively engaged with (ROC) on its advisory board here and at – you know, representing health and safety issues that would be coming up as part of that campaign and so then the cross overs just began to grow for us.

LEVIN-EPSTEIN: So Barbara, we have been talking about this 28 percent figure, is that number and that bullet of information in the earned sick days campaign materials now used throughout Philadelphia?

RAHKE: Not – no, I – you know, I think in the previous speakers, the driving issue was really the public health issue on the campaign, and I’m – I feel very excited about this 28 percent figure now and how we can maybe play a more, a much more active role as reported earlier, although the vote last week, and I was there, was a huge victory, there is still an open door. There is still going to be a lot of organizing in the area, and some of the city council members who didn’t vote yet and very concerned about employer costs issues.

And I think this connection to the reduction in injuries by workers who have earned sick leave is going to be a very powerful argument and – to enable us to focus on specific votes where that issue could be pivotal.

LEVIN-EPSTEIN: Awesome, awesome. Now Barbara, you were talking about how the focus in the campaign has been, you know, as Wendy (ph) was describing earlier, focus on the public health consequences. Well, one of the advantages of my having a chance to visit with you and other board members last week, when you had your meeting here in

DC, was I actually had a chance to catch up with (KOSHAS) communication manager Dorie Sanders (ph) and I asked her is there a way to frame workplace injuries as a public health issue and not just as an individual worker issue and she was right there on it.

You know, she made some great illustrations about how in fact individual worker safety can become a community health issue. For example, you know, if a nurse who is treating the patient is sick, there is every possibility that the nurse may injure the – unintentionally but because the nurse is sick could injure the patients, that is to say, give the wrong shot at the wrong time, or something along those lines. So she was able to just quickly figure out some of this public health side to individual worker safety.

And my guess is that if we brainstormed longer we could come up with other illustrations.

RAHKE: Well, I'll give you a couple that we're working on right now. Healthcare is an obvious one and we've been working on that with the Union (inaudible) (99c) here in this area. But back to what Tom was talking about in terms of temp workers. You know, a lot of employers may have sick days but they don't have it for the temps that are working in that facility. So you may see an employer that supposedly has it, but maybe 50 percent of the work force in that facility doesn't have it.

And we recently, though a training we were doing with immigrant workers who were working at a food processing, a food preparation faculty, and we've noticed in the training that they had open sores, they had all kinds of health related issues. And they were actually making prepared salads for a convenience store chain in this area. I mean, you know, no question about the connection between potential public health issues and people being forced to work sick and injured. So I there is, I think, a very strong, very strong argument that can be made.

LEVIN-EPSTEIN: So in Philly, Barbara you clearly have made this marriage between the two moments. Is it your stance that others around the country should try and make this marriage as well, that is to say, should – would you encourage worker safety community folks to engage with earned sick days campaigns if in fact, you know, they are already stretched and have limited time, limited resourced, how do you make a go of this marriage?

RAHKE: Well, I think it – because there's a benefit, it is exactly because we're all so stretched and we're working on so many campaigns that uniting together and finding ways in which approached that each of us bring to the table can help strengthen the others' position, is really important. And I think this – the issue of reduced injuries where there is earned sick days is something that is really an important argument to reach to employer concerns.

Or our elected officials who are persuaded and concerned by employer concerns and so the marriage of the two was going to be able to broaden our outreach and our impact.

LEVIN-EPSTEIN: Thank you, thank you. Tom, coming back to you, you know we just heard about Barbara's (ph) work in Philly, on earned sick days. Is there sort of a hot topic within the worker's safety advocacy community that would benefit from the involvement of earned sick days so that – you know, is there a campaign that maybe off the list you mentioned, maybe something else, that an earned sick days campaign could join forces with you, you'd welcome that?

O'CONNOR (ph): Yes. I mean, Wendy (ph) was talking about who was most effected by the lack of paid sick days, I think that it is clearly those most vulnerable workers in the lower wage end of the spectrum and those are the same workers that we focus on in our immigrant workers project and our temporary workers campaign. So between those two focus, I think that it is really important that we work together because it is the same group of people that are effected by the same things.

I also think about, you know, in that title Sick and Fired, I think of Injured and Fired, which is a growing problem, you know, that we see where people are being fired because they get injured on the job, though no fault of their own. But they are being blamed for it, for things like supposed lack of situational awareness, if they slip on the ice and fall and injure themselves and so then they could be fired for breaking a policy, supposedly.

So there's that – I think those two – in that area we could work very work together.

LEVIN-EPSTEIN: Yes, OK. Ok, we'll dig into that later, too, that sounds great. Now we've been talking about this marriage possibility. Let's talk a little bit, talking about the process and the list of resources that (CLASP) did circulate to all of the participants on this call. There is a link to the COSH Map of Members, with their contact information. Should earned sick days list advocates who are listening in here, in places where there are COSH members just connect directly with that COSH member?

O'CONNOR (ph): Yes, that would be the most direct way, if they have any trouble reaching somebody in their area or any questions, you know, I'd be happy to talk to people if they want to call me directly as well.

LEVIN-EPSTEIN: OK. And there are also sick days campaigns in places without a formal COSH member. Do you have information about worker safety advocates to connect to in those places and how should folks find out about that?

O'CONNOR (ph): Yes, it's funny that you asked that now, because we just had a board meeting the other day where we talked about that, that we do have a network of worker safety and health advocates around the country, but we don't have any lists you know, on our website or anything with those people on. So we're going to try to populate that map with some contact people around the country who are active in the – in our – in the movement but are not in a formal COSH group, so that is one thing.

And then the other is that we do have this protecting workers alliance list serve which has about 350 people and those are people all around the country most of whom are not in an

individual COSH group but are active on these issues so using that list serve to make that connections I think would be very effective.

LEVIN-EPSTEIN: Awesome. And this is just to let everyone know that when (CLASP) was able to have a chance to meet with Tom and his board, we sort of concluded that a next step is to develop some other ideas about how to make this marriage between our movements work well and so I think we'll all be reaching out to our colleagues throughout each of our movements to figure out ways to braid us together but obviously a number of those notions came up today and we're going to be exploring those.

I want to ask you a question here, and Wendy (ph) this will be for you. We have a question from (Michelle McIntyre) again, with the National Consumers League, thank you for listening so carefully, Michelle. Michelle says, "Paid sick days are good for workers and employers. The public supports them overwhelmingly. Given this, can you elaborate on why these laws aren't more widespread and what challenges there are to getting them passed?" Wendy (ph), take that one away.

CHUN-HOON: Sure. And I'm going to loop this back one of what I think the most promising ideas are coming out of this call. You know, I think the truth is, you know, the more success that we all have in establishing these laws, the more attention they get and the harder the opposition is going to start to fight. And so what, you know, what we need to do more of, what we need to be even more effective than we are is in lifting up the business voice that does support this and hey are many. And really differentiating that from the organized corporate opposition which would oppose anything and everything.

So you know, what I think both, actually every one of the other speakers spoke about today is in thinking about the allies in the business case, for the business allies and the case to be made which at least on – so far on the earned sick days side, I don't feel like we've maximized in thinking about really, these are hard costs, not only are they bad outcomes for workers when they are injured on the job or ill – you know, create – made ill because of something on the job, but these are very real bottom line costs.

And so to really think about a whole new set of business allies. Jodie, I liked your idea earlier about the business calculator, and adding on to the calculator that we know and use already. So really exploiting some of these new ideas, I love that.

LEVIN-EPSTEIN: So Tom, you know the question from (Michelle) made me realize, I'm not aware of what public attitude is towards worker safety issues. Do you all have a body of research on public opinion that indicates support for improving worker safety or is that not out there?

O'CONNOR (ph): Actually, Liz (ph) might remember the details of this more than I, but other welfare foundations commissioned a public opinion survey on these issues and found that there was broad overwhelming support for strong enforcement of workplace safety and health regulations. So you know, it's sort of – again, just like what Wendy (ph) was saying that there is this sort of voice from corporate America that says one

thing, but when – about regulations, but when you actually ask most individuals they believe that there should be strong workplace safety and health regulations.

And that – I don't know if Liz (ph) you want to add anything to that survey that was done by Public Welfare.

BORKOWSKY (ph): Yes, it was really striking that, you know, here in Washington we hear politicians all the time railing against the Occupational Safety and Health Administration and the Environment Protection Agency, and saying that, you know, we need to get OSHA and EPA off our backs, but what the polling has found is that people really like the idea that there is a government agency responsibly for making sure that we have clean water to drink and making sure that when we go to work to earn a living that it's a safe workplace.

LEVIN-EPSTEIN: And I think, you know, when you also were earlier mentioning these issues about worker's compensation and how it doesn't work, and you know, how our workers safety system isn't really working very well – one of the problems is that once a system is established, many in the public expect that the system does what it is established to do, so they check that one off the worry list. You know, worker's compensation, of course is someone gets injured that's sad, but they get worker's compensation.

Well, first of all it is more than just sad, it was preventable, and worker's compensation isn't there to help that family too often. I mean, when it does work, it works great, but it's not working, it really pushes somebody further behind. So I think there is a love of "a-ha" that we need to explore and expose. I mean, when we started in the earned sick days, I mean it was very clear that most people were shocked, of many people were shocked I shouldn't be so, many people were shocked to learn that not everybody gets earned sick days.

You know, that sort of thing. So I think these movements have a lot to learn from each other, I think that today's call has been very exciting and offering a beginning of those opportunities. I want to thank the audience for tuning in to this issue, it's going to be growing and getting bigger because we are going to make some more marriage happen in this issue area. I want to thank my guests today, (Liz Bercowitz), thank you, Liz (ph).

BORKOWSKY (ph): Sure.

LEVIN-EPSTEIN: Wendy Chun-Hoon (ph), thank you Wendy (ph).

CHUN-HOON: That you, this is great.

LEVIN-EPSTEIN: Tom O'Connor, thank so much

O'CONNOR (ph): Pleasure.

LEVIN-EPSTEIN: And Barbara Rahke, thank you for joining us Barbara and good luck with those votes.

RAHKE: Thank you, we'll do it.

LEVIN-EPSTEIN: All right, awesome, awesome. Everybody have a great day, talk to you next time. Thanks a lot.

FEMALE: Thanks.

FEMALE: Thank you.

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